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June 14, 2020

Via Email and ECF

Honorable Elizabeth S. Stong  
United States Bankruptcy Court for the  
Eastern District of New York  
271-C Cadman Plaza East  
Brooklyn, New York 11201

In re: Mediator being compelled to adjudicate discovery demands, Case  
No. 12-42935 (ESS) *Geltzer v. Soshkin*. Adv. Proc. No. 17-01157 (ESS)

Your Honor,

I am the counsel for the defendant Zlata Soshkin in the aforesaid proceeding. I respectfully request the Court to restrain Mr. Geltzer and his counsel Mr. Robert Wolf from compelling/pleading/urging the mediator to instruct us to produce any discovery demands and admonish them to be cognizant of the basics of mediations—(1) *mediation is not litigation*; (2) *not mediator, this Court alone has the authority to entertain discovery demands* etc. Also, we request the court to immediately call off the mediation. Bypassing this Court jurisdiction, the trustee and his counsel made the following demand:

Dear Mediator Lord: Hope you continue to be well. As we have previously informed you, we have never received from the defendant or her counsel the documents that were the subject of the document demand we served in the adversary proceeding back in December, 2018. That document demand encompassed, among others, the documents which you have indicated the defendant has shown you during the course of the mediation. In her recent Order, Judge Stong directed that all further documents in the possession of the parties that are pertinent to the adversary proceeding be produced by June 26. As the documents which the defendant has shown to you appear to be very pertinent to the mediation, *we ask that you direct Mr. Dahiya to turn over the same to us forthwith, or alternatively confirm with Mr. Dahiya that you will be turning them over to us*. As always, thank you for all of your time and consideration.

Ex. A. Email to Hon. Judge Nancy Lord, the mediator. (Emphasis provided). This email has put the undersigned and the Judge Lord in an uncomfortable situation. This is not acceptable. It is wrong on several fronts—I can brief it, but for now my summary objection should suffice. Your Honor, I am at a loss. I just cannot understand why these two very seasoned, experienced attorneys, Mr. Wolf and his client, Mr. Geltzer would miss the very-very basic about juridical venues and judicial administration. This Court is the presiding court on discovery, not Judge Lord. Wherefore, we request that the trustee and his client, Mr. Geltzer be admonished and the mediation be scrapped forthwith. Thank you for your consideration.

/s/karamvirdahiya